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OFFICE OF PETITIONS

In re Patent No. 6,713,763	:	
Issued: March 30, 2004	:	DECISION REGARDING PTA and
Application No. 09/985,995	:	NOTICE OF INTENT TO ISSUE
Filed: November 7, 2001	:	CERTIFICATE OF CORRECTION
Atty. Dkt. No.: Q66996	:	

This decision is in response to "PATENT TERM ADJUSTMENT UNDER 35 U.S.C. 154," filed April 28, 2004. This matter is being treated as an application for patent term adjustment under 37 CFR 1.705(d).

The above-identified application matured into U.S. Patent No. 6,713,763 on March 30, 2004. The patent issued with a PTA of 148 days. Patentees argue that the adjustment of 268 days was improperly reduced 120 days in connection with the "Statement of Substance of Interview," filed November 3, 2003.

As argued by patentees, the adjustment of 268 days was improperly reduced 120 days in connection with the "Statement of Substance of Interview" filed November 3, 2003. Such a statement is not deemed a failure to engage in reasonable efforts to prosecute within the meaning of 37 CFR 1.704(c)(10). *See, Clarification of 37 CFR 1.704(c)(10) - Reduction of Patent Term Adjustment for Certain Types of Papers Filed After a Notice of Allowance has been Mailed*, 1247 Off. Gaz. Pat. Office 111 (June 26, 2001).

In view thereof, at the time of issuance, the patent was entitled to an adjustment of 268 days for Office delays, as argued by patentees.

Receipt of the required application for patent term adjustment fee of $200.000 is hereby acknowledged.

This application file will be forwarded to the Certificate of Corrections branch for issuance of a certificate of correction to indicate that the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 268 days.

Telephone inquiries specific to this matter should be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.

Kery Fries
Senior Legal Advisor
Office of Patent Legal Administration
Office of Deputy Commissioner
for Patent Examination Policy

CC: Draft Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT	:	6,713,763 B2
DATED	:	March 30, 2004, 2004
INVENTOR(S)	:	Yoshitake, et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 148 days

Delete the phrase "by 148 days" and insert – by 268 days--

Day : Monday
Date: 1/28/2008

PALM INTRANET

Time: 12:05:07

PTA Calculations for Application: 09/985995			
Application Filing Date:	11/07/2001	PTO Delay (PTO):	268
Issue Date of Patent:	03/30/2004	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	120
Post-Issue Petitions:	0	Total PTA (days):	268
PTO Delay Adjustment:	120		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
29	01/28/2008	ADJUSTMENT OF PTA CALCULATION BY PTO	120		
24	03/30/2004	PATENT ISSUE DATE USED IN PTA CALCULATION			
23	02/26/2004	RECEIPT INTO PUBS			
22	02/18/2004	APPLICATION IS CONSIDERED READY FOR ISSUE			
21	12/17/2003	ISSUE FEE PAYMENT VERIFIED			
20	11/07/2001	WORKFLOW - DRAWINGS FINISHED			
19	11/03/2003	MISCELLANEOUS INCOMING LETTER		120	19
18	01/08/2004	RECEIPT INTO PUBS			
17	12/17/2003	ISSUE FEE PAYMENT RECEIVED			
16	12/02/2003	WORKFLOW - FILE SENT TO CONTRACTOR			
15	10/02/2003	MAIL NOTICE OF ALLOWANCE	268		-1
14	09/30/2003	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
13	09/24/2003	NOTICE OF ALLOWABILITY			
12	08/06/2003	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
11	12/17/2002	CASE DOCKETED TO EXAMINER IN GAU			
10	08/25/2002	RECEIPT OF ALL ACKNOWLEDGEMENT LETTERS			
9	11/16/2001	REFERRED BY L&R FOR THIRD-LEVEL SECURITY REVIEW. AGENCY REFERRAL LETTER GENERATED			
8	01/24/2002	CASE DOCKETED TO EXAMINER IN GAU			
7	11/07/2001	REQUEST FOR FOREIGN PRIORITY (PRIORITY PAPERS MAY BE INCLUDED)			
6	11/07/2001	INFORMATION DISCLOSURE STATEMENT (IDS)			

		FILED			
5	01/18/2002	APPLICATION DISPATCHED FROM OIPE			
4	01/17/2002	APPLICATION IS NOW COMPLETE			
3	11/16/2001	IFW SCAN & PACR AUTO SECURITY REVIEW			
2	11/08/2001	IFW SCAN & PACR AUTO SECURITY REVIEW			
1	11/07/2001	INITIAL EXAM TEAM NN			

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EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

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